

EXHIBIT B

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SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF NEW YORK

ASSURED GUARANTY

INDEX NO.

650705/2010-E

-against-

Plaintiff(s).

IAS PART

54

DB structured products

Defendant(s).

ORDER

On _____, 20____, a conference was held in this case. The parties appeared as follows:

Plaintiff(s)

PI

by

Erik Hagg, Esq

Defendant(s)

GreenPoint

by

James K. Goldfarb

DB Structured Prods & Ace
Securities

Norreen A. Kelly-Najjar

The Court has determined that the Court's Case Management Order of _____, 20____
has not been complied with in that _____

Based on letters dated 8/9/11 (PI); 8/23/11 (DB & Ace) & 8/23/11 GreenPoint

Accordingly, it is ORDERED that 1) PI must respond to discovery demands asking for identification of the loans that allegedly breached contractual representations & warranties that are the basis of its contractual claims; 2) PI is required for the court to receive briefs on statistical sampling for proving ~~its~~

Enter:

JUSTICE SHIRLEY WERNER KORNREICH

J.S.C.

Dated: _____

9/7/11

PRELIMINARY CONFERENCE ORDER

X. ADDITIONAL DIRECTIVES: its case at trial is denied as premature. It has not yet obtained an expert review of the loans (GreenPoint Letter, EXH A, 7/6/11 Letter from T's Counsel). Thus, T's request is based on a hypothetical method of statistical sampling. In the absence of an expert report explaining the method used to select the "representative" sample with certain "characteristics", there is no foundation laid for the admissibility of the evidence. Parker v. Mobil Oil Corp., 7 NY3d 434 (2006).

X. ADDITIONAL DIRECTIVES